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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/593,761	11/06/2006	Kris Vandermeulen	31118/DY0402	9126
4743	7590	09/23/2009	EXAMINER	
MARSHALL, GERSTEIN & BORUN LLP 233 SOUTH WACKER DRIVE 6300 SEARS TOWER CHICAGO, IL 60606-6357			FERGUSON SAMRETH, MARISSA LIANA	
ART UNIT	PAPER NUMBER			
			2854	
MAIL DATE	DELIVERY MODE			
			09/23/2009	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)
	10/593,761	VANDERMEULEN, KRIS
	Examiner MARISSA L. FERGUSON-SAMRETH	Art Unit 2854

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 17 July 2009.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 25 is/are pending in the application.
 - 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 25 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 - 1) Certified copies of the priority documents have been received.
 - 2) Certified copies of the priority documents have been received in Application No. _____.
 - 3) Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) Notice of Informal Patent Application
- 6) Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 25 is rejected under 35 U.S.C. 103(a) as being unpatentable over Huss et al. (US Patent 6,520,696) in view of Takeuchi (US Patent 6,923,660).

Regarding claim 25, Huss et al. teaches a body (10) having a base (25), a top (11), and sides (24 and side opposite of side 24) extending from the base to the top, the body housing a roll of print receiving medium (13, 23) having an axis of rotation extending in a first direction (Figure 2), the body having a guide member (21,22) on each of two opposing sides extending along said sides in a second direction perpendicular to the first direction (Figure 1) for guiding the tape cassette into a tape printer (Abstract) in the second direction and locating the tape cassette in the tape printer (Column 1, Lines 7-13), wherein each guide member extends outwardly from its respective side (Figures 1 and 3) and comprises a first elongate member disposed in a plane perpendicular to the plane of the opposing sides and a second elongate member disposed in a plane parallel to the plane of the opposing sides (refer to figure in the detailed action on page 3).

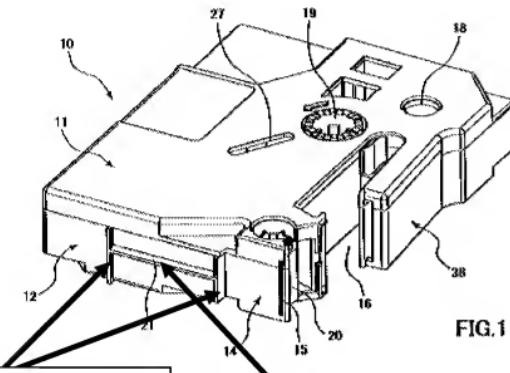


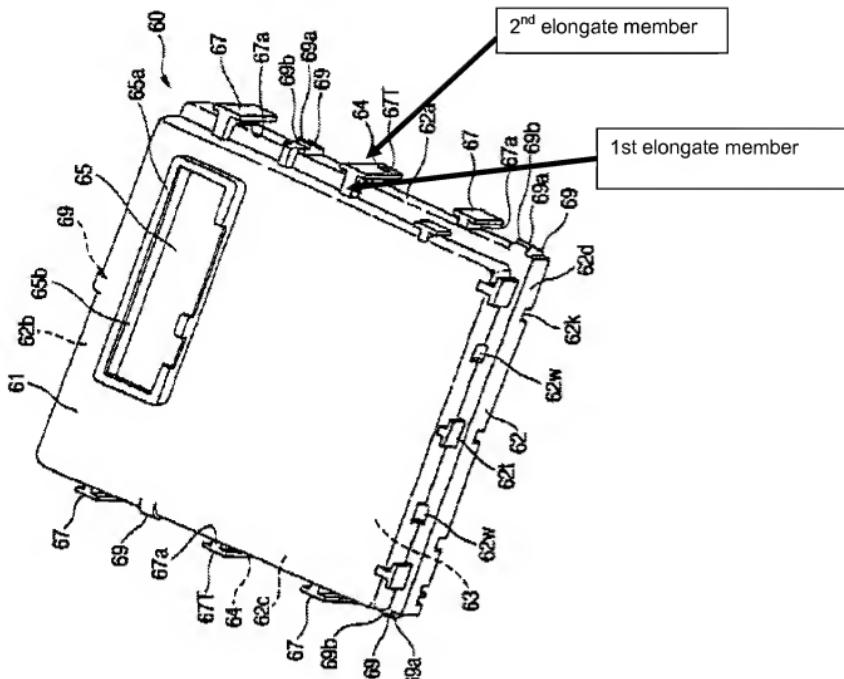
FIG. 1

1st elongate member disposed in a plane perpendicular to the opposed sides.

2nd elongate member disposed in plane parallel to the opposing sides.

However, Huss et al. does not explicitly disclose wherein said first elongate member having a first end attached to said respective side and a second end spaced from said respective side, and wherein said second elongate member is attached to said second end of said first elongate member and extends at least partially along a length of said second end.

Takeuchi teaches wherein a first elongate member (67, 67U, 67T) having a first end attached to a respective side and a second end spaced from a respective side, and wherein a second elongate member (67, 67U, 67T) is attached to a second end of a first elongate member and extends at least partially along a length of a second end (refer to figure on page 4 of the detailed action).



It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify the invention taught by Huss et al. to replace the elongate members thereof with the elongate members as taught by Takeuchi for the purpose of providing a tight, secure connection thereby preventing an erroneous mounting of the apparatus.

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2. Claim 25 is rejected under 35 U.S.C. 103(a) as being unpatentable over Huss et al. (US Patent 6,520,696) in view of Harase (US Patent 5,155,663).

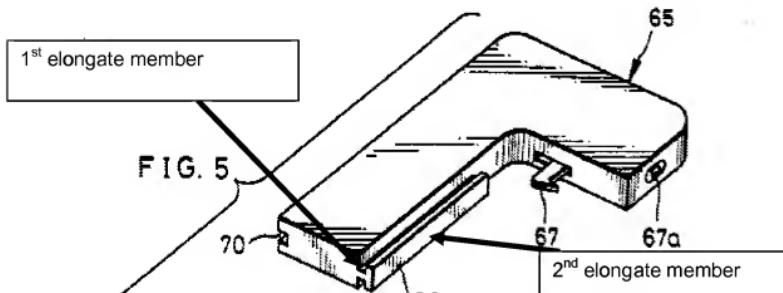
Regarding claim 25, Huss et al. teaches a body (10) having a base (25), a top (11), and sides (24 and side opposite of side 24) extending from the base to the top, the body housing a roll of print receiving medium (13, 23) having an axis of rotation extending in a first direction (Figure 2), the body having a guide member (21,22) on each of two opposing sides extending along said sides in a second direction perpendicular to the first direction (Figure 1) for guiding the tape cassette into a tape printer (Abstract) in the second direction and locating the tape cassette in the tape printer (Column 1, Lines 7-13), wherein each guide member extends outwardly from its respective side (Figures 1 and 3) and comprises a first elongate member disposed in a plane perpendicular to the plane of the opposing sides and a second elongate member disposed in a plane parallel to the plane of the opposing sides (refer to figure in the detailed action on page 3).

However, Huss et al. does not explicitly disclose wherein said first elongate member having a first end attached to said respective side and a second end spaced from said respective side, and wherein said second elongate member is attached to said second end of said first elongate member and extends at least partially along a length of said second end.

Harase teaches wherein a first elongate member (66) having a first end attached to a respective side and a second end spaced from a respective side, and wherein a

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second elongate member (66) is attached to a second end of a first elongate member and extends at least partially along a length of a second end (refer to figure below).



It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify the invention taught by Huss et al. to replace the elongate members thereof with the elongate members as taught by Harase for the purpose of providing a tight, secure connection thereby preventing an erroneous mounting of the apparatus.

Response to Arguments

3. Applicant's arguments with respect to claim 25 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MARISSA L. FERGUSON-SAMRETH whose telephone

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number is (571)272-2163. The examiner can normally be reached on (M-T) 6:30am-4:00pm and every other (F) 7:30am-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Judy Nguyen can be reached on 571-272-2258. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/MARISSA FERGUSON-SAMRETH/
Examiner, Art Unit 2854

/Judy Nguyen/
Supervisory Patent Examiner, Art Unit 2854